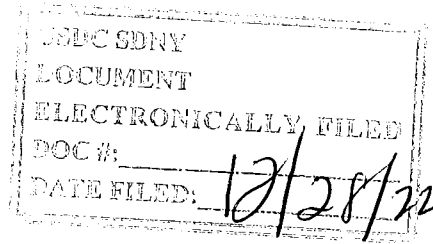


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
SANTIAGO ZETULA,
Plaintiff,

v.

PADAMINAS BRAZILIAN BAKERY, INC.,
and PEDRO COELHO,
Defendants.
-----X

ORDER

22 CV 8116 (VB)

On September 22, 2022, plaintiff Santiago Zetula commenced the instant action against defendants Padaminas Brazilian Bakery, Inc., and Pedro Coelho. (Doc. #1).

More than ninety days have elapsed since the complaint was filed. Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure: "If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against the defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period." Fed. R. Civ. P. 4(m).

Pursuant to Rule 4(m), plaintiff had until December 21, 2022, to serve the defendants. However, to date, no proof of service for either defendant has been filed on the docket.

Accordingly, pursuant to Rule 4(m), this action will be dismissed without prejudice unless, on or before **January 4, 2023**, plaintiff either: (i) files on the ECF docket proof of service, indicating these defendants were served on or before December 21, 2022; or (ii) shows good cause in writing for its failure to comply with Rule 4(m).

Dated: December 28, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti".

Vincent L. Briccetti
United States District Judge